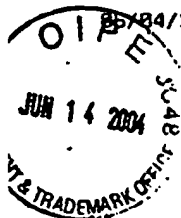


UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>4/1/05</u>		2 Serial/Patent # <u>09/874,178</u>									
3 Please refund the following fee(s):	4 PAPER NUMBER	5 DATE FILED	6 AMOUNT								
Filing			\$								
Amendment			\$								
Extension of Time			\$								
Notice of Appeal/Appeal			\$								
Petition			\$								
Issue			\$								
<input checked="" type="checkbox"/> Cert of Correction/Terminal Disc.		6/14/04	\$ 55								
Maintenance			\$								
Assignment			\$								
Other			\$								
		7 TOTAL AMOUNT OF REFUND		\$ 55							
		8 TO BE REFUNDED BY:									
		<input type="checkbox"/> Treasury Check									
		<input checked="" type="checkbox"/> Credit Deposit A/c #:									
		9 <table border="1" style="display: inline-table; text-align: center; width: 150px;"><tr><td>2</td><td>0</td><td>--</td><td>0</td><td>8</td><td>2</td><td>3</td></tr></table>			2	0	--	0	8	2	3
2	0	--	0	8	2	3					
10 REASON:											
	Overpayment										
	Duplicate Payment										
<input checked="" type="checkbox"/>	No Fee Due (Explanation):										
<div style="font-family: cursive; font-size: 1.2em;">TD not required to revive this app.</div>											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>E Shirene Willis</u>			TITLE: <u>Pet Atty</u>								
SIGNATURE: <u>E Shirene Willis</u>			PHONE: <u>272-3230</u>								
OFFICE: <u>Office of Petitions</u>											
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****											
APPROVED: <u>Aliaa Kull</u>			DATE: <u>4/1/05</u>								

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

**Office of Finance
Refund Branch
Crystal Park One, Room 802B**



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 10/31/2002. CMB 0501-0001
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PTO/SB-26 (10-00)

TERMINAL DISCLAIMER TO OBLIVATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

DocId: Number (Optional)
38982/41693

In re Application of: Lee M. Greenberg
Application No.: 08/874,178
Filed: June 4, 2001
For: Synthetic Mulch

The owner, Green Edge Enterprises, LLC, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 166 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,910,514. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 158 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is released, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☒ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☐ The undersigned is an attorney or agent of record.

THOMPSON COBURN LLP

By: [Signature]

Signature

Date

Judy A. Smith

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Exam Patent Application, P.O. Box 1480, Alexandria, VA 22304-1480.

2206081

06/16/2004 JADD01 00000049 200823 09874178

03 FC:2814 55.00 DA

Adjustment date: 04/07/2005 AKELLEY

06/16/2004 JADD01 00000049 200823 09874178

03 FC:2814 55.00 CR